

Excerpts  
Planning Commission Minutes  
September 8, 2004

**Application No. UP-644-04, Kenneth M. and Linda J. McIntyre:** Request for a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance, to authorize a contractor's shop with outdoor storage. The property is located at 7815 George Washington Memorial Highway (Route 17) and is further identified as Assessor's Parcel No. 24-89. The property is located on the west side of Route 17 approximately 1,300 feet south of its intersection with Fort Eustis Boulevard (Route 105). The property is zoned GB (General Business) and is designated for General Business development in the Comprehensive Plan.

**Ms. Amy Parker**, Senior Planner, presented a summary of the staff report dated August 24, 2004 in which the staff recommended approval. She noted the applicant has proposed additional landscaping at the site.

Hearing no questions from the Commission, **Chair Simasek** opened the public hearing.

**Mr. Kenneth M. McIntyre**, 316 Darby Road, offered to answer questions relative to his application.

**Mr. Davis** inquired what type of items Mr. McIntyre wanted to store at the site.

**Mr. McIntyre** said storage items would consist of old condensing units and air handlers before they are recycled. They would be stored out of public view behind a chain link fence with vinyl weaving and a gate that could be opened and closed. He estimated the fence would be six feet high.

**Mr. Barba** wanted to know how long Mr. McIntyre had been in business, and **Mr. McIntyre** said he and Mrs. McIntyre have operated their business for 15 years out of a home office. They are now in a financial position to move the business out of the house and hope to keep it in the County.

**Mr. Barba** commended them for their success and wished them well.

**Mr. Ptasznik** moved to adopt proposed Resolution PC04-22.

PC04-22

On motion of Mr. Ptasznik, which carried 6:0, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT  
TO AUTHORIZE AN OUTDOOR STORAGE YARD ASSOCIATED WITH A  
CONTRACTOR'S SHOP/OFFICE AT 7815 GEORGE WASHINGTON  
MEMORIAL HIGHWAY

WHEREAS, Kenneth M. and Linda J. McIntyre have submitted Application No. UP-644-04, which requests a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance to authorize an outdoor storage yard associated with a contractor's

shop/office on a 1.15-acre parcel of land located at 7815 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 24-89; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 8th day of September, 2004 the Application No. UP-644-04 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize a 5,000-square foot outdoor storage yard associated with a contractor's shop/office on a 1.15-acre parcel of land located at 7815 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 24-89; subject to the following conditions:

1. This use permit shall authorize a 5,000-square foot outdoor storage yard associated with a contractor's shop/office on a 1.15-acre parcel of land located at 7815 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 24-89.
2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, shall be submitted to and approved by the County prior to the establishment of the proposed contractor's outdoor storage yard. Said site plan shall be in substantial conformance with the sketch plan submitted by the applicant titled "J&K Heating & Cooling," dated June 20, 2004, prepared by Davis & Associates, PC and received by the Planning Division on July 29, 2004, except as modified herein or as may be necessary to comply with site plan review requirements.
3. The outside storage area shall be located within the rear yard of the parcel, and shall be screened with six to eight-foot high opaque fencing constructed of materials as approved by the Zoning Administrator. Pursuant to Section 24.1-486, evergreen trees shall be installed for screening to augment the proposed fencing and shall be installed with a planting spacing of no more than 10 (ten) feet on center. Plantings within the northern landscape yard in the area abutting the existing hotel building shall be evergreen species and shall be installed with a planting spacing of no more than 10 (ten) feet on center.
4. Contractor's equipment and materials (excluding vehicles) kept within the storage area shall not exceed the height of the surrounding fencing.
5. In accordance with the Building Officials Code of America; National Fire Prevention Code, contractor's materials stored outside shall not be stored closer than 15 feet from any lot line or building on the property.
6. Materials stored outside on the property shall be limited to those associated with a heating and cooling contractor's business, and shall not include junk, solid waste, construction debris or hazardous waste as defined in Chapter 19, Section 19.1 and/or Chapter 24, Section 24.1-104 of the County Code.

7. Vehicles stored on the property shall be limited to light-duty cars, trucks and vans associated with the proposed heating and cooling contractor's business, and shall not include heavy construction equipment or vehicles.
8. The front façade of the building shall be constructed utilizing brick, split-faced block, dryvit or other simulated stucco (EIFS), preformed simulated brick or architectural block panels and wood or synthetic clapboard siding.
9. Freestanding signage shall be monument style and shall be constructed of materials that coordinate with the front façade of the proposed building.
10. Existing trees and shrubs on the property shall be maintained to the maximum extent possible. Proposed clearing limits shall be delineated for preservation on the site plan required pursuant to Condition #2 above.
11. All site lighting shall be designed with full cutoff fixtures and directed downward to prevent off-site glare on to abutting properties and the road right-of-way. Illumination levels shall not exceed 0.5 foot-candle at any property line. All lighting fixtures shall be consistent with the lighting recommended by the Illumination Engineering Society of North America (IESNA). Freestanding lighting fixtures shall be fitted with high-pressure sodium lamps. A photometric plan detailing all proposed fixtures and ground illumination levels shall be submitted for approval at time of application for site plan approval.
12. In accordance with Section 24.1-115(b)(6) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

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